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| 10/003,013 | 11/02/2001 | Stephen G. Price | BLD920010005US1 | 3334 |

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EXAMINER

TANG, KAREN C

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,013

Applicant(s)

PRICE ET AL.

Examiner

Karen C. Tang

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

- A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/25/06 has been entered.
- Claims 1-31 are presented for further examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-31 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear how the system interpreting through the use of network protocol.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Parry et al hereinafter Parry (US2002/0196460).

1. Referring to Claims 1, 11, 12 and 22, Parry disclosed a printer operator interface, generating a printer operator display dataset in a processor within a printer (refer to 0028-0029), wherein the operator display dataset defines a printer operator interface display and wherein the display dataset conforms to a network protocol (refer to 0026, 0053-0055), interpreting (converting one forms of file to another), through use of the network protocol (Notes: the attorney indicate on the remark/argument that "It is well-known in the art that printers and other devices provide indicators of status via built-in lights and or text or graphics displays, and that network-connected devices also provide status over the network using any number of standard e.g., SMTP, SNMP, HTTP or proprietary network protocol provide a means of user input to control or adjust the printer or other device), the operator display dataset within the printer/computer controller to produce an interpreted operator interface display (webpage, refer to 0029, 0033-0035), and displaying, on a display on the printer, the interpreted operator interface display produced by the interpreting, through use of the network protocol, of the operator display dataset (workstation and printer is considered to be one printing system, the display on the printer is interpreting to display on the workstation, refer to 0036, and 0041, 0053-0055).

2. Referring to Claims 3, 20, 14, and 30, Parry indicates wherein the operator display dataset comprises data for one or more of a video, an image, a sound file and an animation display.

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3. Referring to Claims 4, 15 and 25, Parry indicates wherein the step of generating the operator display dataset is performed in response to a change in an operating parameter within the printer (refer to 0053).

4. Referring to Claims 5, 16, and 26, Parry indicates wherein the operating parameter is categorized as at least one of a priority parameter, a paper jam indicator and an out of paper indicator (priority, refer to 0053).

5. Referring to Claim 6, 17, and 27, Parry indicates wherein the step of generating is repetitively performed at a time period (print at specified time, refer to 0053).

6. Referring to Claims 7, 18, and 28, Parry indicates wherein the time period is adjusted according to at least one of an operating state of the printer and an error state of the printer (refer to 0053).

7. Referring to Claims 8 and 19, Parry indicates accepting an operator input for the printer through means associated with the operator interface display, and controlling a function within the printer in response to the operator input (when to print, page source, page color, etc, entered via operator display, refer to 0050-0055).

8. Referring to Claim 9, Parry indicates wherein the function comprises generating an additional operator interface display (refer to 0057, 0058).

9. Referring to Claim 10, 21, 24, and 31, Parry indicates wherein the step of accepting utilizes at least one of a pointing device, a keyboard, handwriting recognition, and a touch screen input (keyboard, refer to 0058).

10. Referring to Claim 29, Parry indicates accepting an operator input associated with the operator interface display, and controlling a function within the printer in response to the operator input (refer to 0053-0055).

11. Referring to Claims, 2, 13, and 23, Parry indicates the use of network protocol is a HyperText Transfer Protocol, wherein the interpreting interprets, wherein the printer, the HyperText Transfer Protocol of the operator display dataset (refer to 0026).

Response to Arguments

Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang

3/31/06

Khanh Dinh
Primary Examiner
A.U. 2151